

## PATENT COOPERATION TREATY

PCT

REC'D 19 NOV 2004
WIPO
PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 000411WO	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US02/03729	International filing date (day/month/year) 06 February 2002 (06.02.2002)	Priority date (day/month/year) 02 December 2001 (02.12.2001)
International Patent Classification (IPC) or national classification and IPC IPC(7): H04Q 7/20; H04B 1/38 and US Cl.: 455/522,515,560,561,68,69; 370/318,320,329,35,342,441		
Applicant QUALCOMM INCORPORATED		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of report with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand 10 September 2002 (10.09.2002)	Date of completion of this report 09 November 2004 (09.11.2004)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Edan Orgad Signature of Edan Orgad Telephone No. 703/305-4223

## I. Basis of the report

1. With regard to the elements of the international application:<sup>\*</sup>

the international application as originally filed.



the description:

pages 1-16 as originally filed

pages NONE, filed with the demandpages NONE, filed with the letter of \_\_\_\_\_.

the claims:

pages 17-19, as originally filed

pages NONE, as amended (together with any statement) under Article 19pages NONE, filed with the demandpages NONE, filed with the letter of \_\_\_\_\_.

the drawings:

pages 1-8, as originally filed

pages NONE, filed with the demandpages NONE, filed with the letter of \_\_\_\_\_.

the sequence listing part of the description:

pages NONE, as originally filedpages NONE, filed with the demandpages NONE, filed with the letter of \_\_\_\_\_.

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:



the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).



the language of publication of the international application (under Rule 48.3(b)).



the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:



contained in the international application in printed form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4.  The amendments have resulted in the cancellation of:the description, pages NONEthe claims, Nos. NONEthe drawings, sheets/fig NONEThis report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).<sup>\*\*</sup><sup>\*</sup> Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).<sup>\*\*</sup> Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. STATEMENT

Novelty (N)	Claims <u>NONE</u>	YES
	Claims <u>1-9</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-9</u>	NO
Industrial Applicability (IA)	Claims <u>1-9</u>	YES
	Claims <u>NONE</u>	NO

## 2. CITATIONS AND EXPLANATIONS

Please See Continuation Sheet

## Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Claim 1-3 and 7 lack novelty under PCT Article 33(2) as being anticipated by Hashem Bassam (WO0036762).

Regarding claims 1 & 6, Hashem teaches a remote station apparatus comprising: a link quality estimation unit operative to generate a link quality estimate in response to a first power control instruction received on a common channel (see abstract); and a power control unit coupled to the link quality estimation unit, the power control unit operative to generate a second power control instruction in response to the link quality estimate (page 4, lines 8-13 & claims 1 and 2).

Regarding claim 2, Hashem teaches the remote station apparatus controls transmission power in response to the first power control instruction (page 4, lines 8-13 & claims 1 and 2).

Regarding claim 3, Hashem teaches the remote station apparatus transmits the second power control instruction (page 4, lines 8-13 & claims 1 and 2).

Regarding claim 7, Hashem teaches a method for power control in a wireless apparatus operative in a communication system having a forward link and a reverse link (see abstract), the system transmitting power control bits on a forward link common channel, the method comprising: measuring a SNR of at least one power control bit for controlling a reverse link; and determining a power control decision for the forward link based on the SNR (page 4, lines 8-13 & claims 1 and 2).

Claim 4-6, 8 and 9, lack novelty under PCT Article 33(2) as being anticipated by Knutsson, Jens (WO 99/53630).

Regarding claim 4, Knutsson teaches a base station apparatus comprising: a decoder; and a determination unit coupled to the decoder, the determination unit operative to determine a power control instruction for base station transmission on a common channel; and an adjustment unit coupled to the determination unit, the adjustment unit operative to adjust a power level of the power control instruction (page 5, line 2-30, page 8, line 3-page 23 & page 10, line 29- page 11, line 13).

Regarding claim 5, Knutsson teaches a base station apparatus comprising: a control processor for power control of transmission of power control instructions on a common channel; and an amplifier operative to adjust a power level of the power control instructions (page 5, line 2-30, page 8, line 3-page 23 & page 10, line 29- page 11, line 13).

Regarding claim 8, Knutsson teaches a method for power control in a wireless communication system, the system having a forward link and a reverse link (see abstract), the system transmitting power control instructions on a forward link common channel, the method comprising: determining a first power control instruction for control of the reverse link; in response to receiving a second

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/US02/03729

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

power control instruction on the reverse link, the second power control instruction for control of the forward link, determining a first transmission power level; and transmitting the first power control instruction at the first transmission power level on the common channel (page 5, line 2-30, page 8, line 3-page 23 & page 10, line 29- page 11, line 13).

Regarding claim 9, Knuttsen teaches a method for power control in a wireless communication system, the system having a forward link and a reverse link (see abstract), the system transmitting power control instructions on a forward link common channel, the method comprising: generating a reverse link power control instruction; generating a forward link power control instruction; and adjusting a power level for transmission of the forward link power control instruction according to the reverse link power control instruction (page 5, line 2-30, page 8, line 3-page 23 & page 10, line 29- page 11, line 13).

----- NEW CITATIONS -----